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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re: CASE NO. BK-N-09-54025-gwz
Chapter 13

ROB E. LEWIS AND RENE E. LEWIS,
Debtor(s).

**MOTION FOR APPROVAL TO ALLOW
MODIFICATION OF DEBTORS' FIRST
MORTGAGE**

Hearing Time: October 8, 2010
Hearing Time: 2:00 p.m.

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ROB E. LEWIS AND RENE E. LEWIS ("Debtors"), by and through their counsel,
DARBY LAW PRACTICE, LTD. hereby move this Court for Approval to Modify Debtors' First
Mortgage as follows:

1. Debtors filed the above captioned Chapter 13 bankruptcy case on November 11,
2009.
2. Debtors' Chapter 13 plan of reorganization was confirmed on April 23, 2010. The
Debtors agreed to retain their primary residence through their Chapter 13.
3. Wells Fargo Home Mortgage ("WFHM") offered Debtors a loan modification of
the Debtors first mortgage on August 14, 2010 (the "Loan Modification"). Attached to the
Declaration of the Debtors as Exhibit "1" is a true and correct copy of the loan modification offer.
The terms of the Loan Modification are set forth in detail in Exhibit "1".

1 4. Debtors desire to accept the proposed Loan Modification of their home loan
2 offered by WFHM.

3 5. WFHM requires Court approval of the Loan Modification to generate the final
4 loan documents to complete the Modification.

5 6. Debtors request that the approval of this Loan Modification be final and binding
6 on WFHM and the Debtors and that the Loan Modification not be contingent on the successful
7 completion of Debtors' chapter 13 plan of reorganization or obtaining a discharge in this case.

8 7. Upon completion of the Loan Modification, WFHM will withdraw any proof of
9 claim filed in Debtors' case.

10 8. Debtors and WFHM should be permitted to generate and execute the final loan
11 documents to complete the Loan Modification of Debtors' first mortgage.

12 9. Debtors have filed a proposed modification of their Chapter 13 Plan to be heard
13 concurrently with this motion.

14 10. Debtors respectfully requests Court approval to allow the modification of
15 Debtors' first mortgage on the terms provided herein.

16 DATED this 5th day of September, 2010.

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19 DARBY LAW PRACTICE, LTD.

20 /s/ Tricia M. Darby

21 By: _____

22 TRICIA M. DARBY, ESQ.

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